(c) The question of dismissed persons retiring under V.R.S. etc. does not arise.

(d) and (e) As on 1-1-94, payment under V.R.S. was pending in 158 cases.

Unauthorised Absence in Coal India Limited

5254. SHRI MD. SALIM : Will the Minister of COAL be pleased to state :

(a) whether Government are aware of some recent observations in the Supreme Court of India holding dismissal too severe a punishment for unauthorised absence;

(b) if so, the details of such observations and the reaction thereto;

(c) whether there is any guidelines in the CIL in dealing with workers with unauthorised absence, with particular reference to the SC, ST and those without quarters in the colliery premises; and

(d) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI AJIT KUMAR PANJA) : (a) Recently we have been made aware of Supreme Court judgements holding dismissal too severe a punishment for unauthorised absence in certain circumstances.

(b) In one case the Supreme Court has held that punishment of dismissal was grossly disproportionate to the charge which was to the effect that the appellant had absented himself from duty for three days without leave. In the other case, the Supreme Court has held as harsh punishment of dismissal for over staying the period of leave by 12 days without considering the circumstances in which it became inevitable. It is felt that the punishment of dismissal should be imposed after due deliberation on the merits of each case.

(c) and (d) As per the provisions of Certified Standing Orders, of Coal India absence from duty without sanctioned leave or sufficient cause is regarded as misconduct which is punishable after following the prescribed procedure. There are no special provisions with regard to the SC/ST and those without quarters.

Amount spent on Litigation by BCCL, ECL CCL

5255. SHRI MD. SALIM : Will the Minister of COAL be pleased to state :

(a) the amount spent on litigation by BCCL, ECL and CCL in the last three years against the awards of the Industrial Tribunals with year-wise break-up in detail ;

(b) the reasons for such expenditure, whether there has ever been a study on cost-benefit ratio in litigation ; and

(c) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI AJIT KUMAR PANJA) : (a) The amount spent on litigation by Bharat Coking Coal Limited, Central Coalfields Limited and Eastern Coalfields Limited during the last three years against the awards of Industrial Tribunals including anticipated expenditure are as follows :—

(Amount in Rs.)

Name of the Company	Y E A R		
	1991-92	1992-93	1993-94
BCCL	97,520.40	1,41,377.60	1,59,238.00
CCL	35,480.00	19,900.00	4,000.00
ECL	75,681.80	86,884.50	44,774.00